

EXHIBIT A

UNITED STATES DISTRICT COURT
 for the
Middle District of Georgia

<u>Chad Rados</u> <i>Plaintiff</i>)	
)	
)	
v.)	Civil Action No. 7:14-cv-163(HL)
)	
<u>Goldberg & Peretti, LLC; and Does 1-10, inclusive</u>)	
<i>Defendants</i>)	

SUMMONS IN A CIVIL ACTION

To: *(Defendants' name and address)* **Goldberg & Peretti, LLC**
 1191 Magnolia Ave, Suite #D-217
 Corona, California 92879

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Sergei Lemberg, Esq.
 Lemberg Law, LLC
 1100 Summer Street, Third Floor
 Stamford, CT 06905

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 10/17/2014



CLERK OF COURT

s/Robin Walsh

Signature of Clerk or Deputy Clerk

Attorney or Party without Attorney: LEMBERG & ASSOCIATES LLC ATTORNEYS AT LAW 1100 SUMMER STREET, 3RD FLOOR STAMFORD, CT 06905		For Court Use Only	
Telephone No: 203 653-2250 FAX: No: 203 653-3424		Ref. No or File No.: 10844-001	
Attorney for: Plaintiff			
Insert name of Court, and Judicial District and Branch Court: UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF GEORGIA			
Plaintiff: CHAD RADOS Defendant: GOLDBERG & PERETTI, LLC; AND DOES 1-10, INCLUSIVE			
DUE DILIGENCE DECLARATION	Hearing Date:	Time:	Dept/Div:
			Case Number: 714CV00163HL

1. I, STELLA LEDESMA, and any employee or independent contractors retained by KERN LEGAL SERVICES, INC. are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant GOLDBERG & PERETTI, LLC as follows:

2. *Documents:* SUMMONS IN A CIVIL ACTION; COMPLAINT - JURY TRIAL DEMANDED; NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE TO EXERCISE JURISDICTION.

Day	Date	Time	Location	Results
Thu	10/30/14	6:19pm	Home	GIVEN ADDRESS IS RESIDENCE NO ANSWER AT THE DOOR Attempt made by: STELLA LEDESMA. Attempt at: WILLIAM BALES - AGENT 18582 ARDENWOOD LANE RIVERSIDE, CA 92508.
Sun	11/02/14	8:12am	Home	GIVEN ADDRESS IS RESIDENCE NO ANSWER AT THE DOOR Attempt made by: STELLA LEDESMA. Attempt at: WILLIAM BALES - AGENT 18582 ARDENWOOD LANE RIVERSIDE, CA 92508.
Mon	11/03/14	2:38pm	Home	GIVEN ADDRESS IS RESIDENCE NO ANSWER AT THE DOOR Attempt made by: STELLA LEDESMA. Attempt at: WILLIAM BALES - AGENT 18582 ARDENWOOD LANE RIVERSIDE, CA 92508.

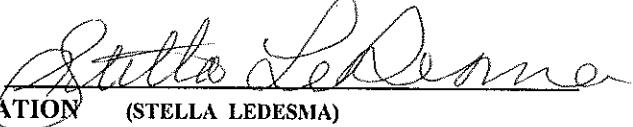
3. *Person Executing*

- a. STELLA LEDESMA
- b. KERN LEGAL SERVICES, INC.
1614 WEST TEMPLE STREET, Registration # 7096
LOS ANGELES, CA 90026
- c. (213) 483-4900, FAX (213) 483-7777

Recoverable Costs Per CCP 1033.5(a)(4)(B)
d. The Fee for service was: \$77.50
e. I am: (3) registered California process server
(i) Independent Contractor
(ii) Registration No.: 2593
(iii) County: ORANGE

4. *I declare under penalty of perjury under the laws of the State of Georgia and under the laws of the United States Of America that the foregoing is true and correct.*

Date: Thu, Nov. 13, 2014


DUE DILIGENCE DECLARATION (STELLA LEDESMA)

10844-001.2673.165747

Attorney or Party without Attorney: LEMBERG & ASSOCIATES LLC ATTORNEYS AT LAW 1100 SUMMER STREET, 3RD FLOOR STAMFORD, CT 06905 Telephone No: 203 653-2250 FAX No: 203 653-3424 jimamorsky@lembertglaw.com Attorney for: Plaintiff		For Court Use Only Ref. No. or File No.: 10844-001	
Insert name of Court, and Judicial District and Branch Court: UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF GEORGIA			
Plaintiff: CHAD RADOS Defendant: GOLDBERG & PERETTI, LLC; AND DOES 1-10, INCLUSIVE			
AFFIDAVIT OF SERVICE SUMMONS IN A CIVIL CASE		Hearing Date:	Time:
		Dept/Div:	Case Number: 714CV00163HL

- At the time of service I was at least 18 years of age and not a party to this action.
- I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT - JURY TRIAL DEMANDED; NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE TO EXERCISE JURISDICTION
- a. Party served: GOLDBERG & PERETTI, LLC
 b. Person served: WILLIAM BALES, AGENT FOR SERVICE OF PROCESS BY SERVING UNICE BALES, WIFE
- Address where the party was served: WILLIAM BALES - AGENT
 18582 ARDENWOOD LANE
 RIVERSIDE, CA 92508
- I served the party:
 b. by substituted service. On: Wed., Nov. 05, 2014 at: 7:22PM by leaving the copies with or in the presence of:
 UNICE BALES, WIFE, Asian, Female, 39 Years Old, Black Hair, Brown Eyes, 120 Pounds
 (2) (Home) Competent Member of the Household over 18. I informed him or her of the general nature of the papers.
 (4) A declaration of mailing is attached.
- The "Notice to the Person Served" (on the Summons) was completed as follows:
 on behalf of: GOLDBERG & PERETTI, LLC
 Other: LIMITED LIABILITY COMPANY, under CCP 416.40.

7. Person Who Served Papers: *Fee for Service: \$77.50*

a. STELLA LEDESMA
Registration # 7096



1614 W. Temple Street, Los Angeles CA 90026
(213) 483-4900 • Fax: (213) 483-7777

Professional Legal Services and Photocopying at an affordable price!

- I declare under penalty of perjury under the laws of the State of GEORGIA and under the laws of the United States Of America that the foregoing is true and correct.

Stella Leedesma
AFFIDAVIT OF SERVICE
SUMMONS IN A CIVIL CASE

(STELLA LEDESMA)
10844-001.2673.165747

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA

Chad Rados,	:	Civil Action No.: <u>7:14-cv-163(HL)</u>
	:	
Plaintiff,	:	
v.	:	
	:	
Goldberg & Peretti, LLC; and DOES 1-10, inclusive,	:	COMPLAINT
	:	JURY TRIAL DEMANDED
Defendants.	:	
	:	

For this Complaint, the Plaintiff, Chad Rados, by undersigned counsel, states as follows:

JURISDICTION

1. This action arises out of Defendants' repeated violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* ("FDCPA"), and the invasions of Plaintiff's personal privacy by the Defendants and its agents in their illegal efforts to collect a consumer debt.
2. Supplemental jurisdiction exists pursuant to 28 U.S.C. § 1337.
3. Venue is proper in this District pursuant to 28 U.S.C. § 1331(b), in that the Defendants transact business in this District and a substantial portion of the acts giving rise to this action occurred in this District.

PARTIES

4. The Plaintiff, Chad Rados ("Plaintiff"), is an adult individual residing in Quitman, Georgia, and is a "consumer" as the term is defined by 15 U.S.C. § 1692a(3).
5. Defendant Goldberg & Peretti, LLC ("Goldberg"), is a California business entity with an address of 1191 Magnolia Ave, Suite #D-217, Corona, California 92879, operating as a collection agency, and is a "debt collector" as the term is defined by 15 U.S.C. § 1692a(6).

6. Does 1-10 (the “Collectors”) are individual collectors employed by Goldberg and whose identities are currently unknown to the Plaintiff. One or more of the Collectors may be joined as parties once their identities are disclosed through discovery.

7. Goldberg at all times acted by and through one or more of the Collectors.

ALLEGATIONS APPLICABLE TO ALL COUNTS

A. The Debt

8. The Plaintiff allegedly incurred a financial obligation (the “Debt”) to an original creditor (the “Creditor”).

9. The Debt arose from services provided by the Creditor which were primarily for family, personal or household purposes and which meet the definition of a “debt” under 15 U.S.C. § 1692a(5).

10. The Debt was purchased, assigned or transferred to Goldberg for collection, or Goldberg was employed by the Creditor to collect the Debt.

11. The Defendants attempted to collect the Debt and, as such, engaged in “communications” as defined in 15 U.S.C. § 1692a(2).

B. Goldberg Engages in Harassment and Abusive Tactics

12. On or about August 26, 2014 and August 27, 2014, Goldberg called Plaintiff’s fiancé in an attempt to collect the Debt.

13. During the aforementioned conversations, Goldberg threatened to serve Plaintiff with “papers” if he did not pay the Debt that day.

14. To date, Goldberg has not served Plaintiff with any “papers.”

COUNT I

VIOLATIONS OF THE FDCPA 15 U.S.C. § 1692, et seq.

15. The Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

16. The Defendants' conduct violated 15 U.S.C. § 1692d in that Defendants engaged in behavior the natural consequence of which was to harass, oppress, or abuse the Plaintiff in connection with the collection of a debt.

17. The Defendants' conduct violated 15 U.S.C. § 1692e in that Defendants used false, deceptive, or misleading representation or means in connection with the collection of a debt.

18. The Defendants' conduct violated 15 U.S.C. § 1692e(5) in that Defendants threatened to take legal action, without actually intending to do so.

19. The Defendants' conduct violated 15 U.S.C. § 1692e(10) in that Defendants employed false and deceptive means to collect a debt.

20. The Defendants' conduct violated 15 U.S.C. § 1692f in that Defendants used unfair and unconscionable means to collect a debt.

21. The foregoing acts and omissions of the Defendants constitute numerous and multiple violations of the FDCPA, including every one of the above-cited provisions.

22. The Plaintiff is entitled to damages as a result of Defendants' violations.

COUNT II

**VIOLATION OF THE GEORGIA FAIR BUSINESS PRACTICES ACT,
O.C.G.A. § 10-1-390, et seq.**

23. The Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

24. The Plaintiff is a “consumer” as the term is defined by O.C.G.A. § 10-1-392(6).

25. The Plaintiff incurred a Debt as a result of engaging into “[c]onsumer transactions” as the term is defined by O.C.G.A. § 10-1-392(10).

26. The Defendants’ unfair or deceptive acts to collect the Debt occurred in commerce, in violation of O.C.G.A. § 10-1-393(a).

27. The Plaintiff suffered mental anguish, emotional distress and other damages in an amount to be proven at trial.

28. Defendant’s failure to comply with these provisions constitutes an unfair or deceptive act under O.C.G.A. § 10-1-393(a) and, as such, the Plaintiff is entitled to damages plus reasonable attorney’s fees.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff prays that judgment be entered against Defendants:

1. Actual damages pursuant to 15 U.S.C. § 1692k(a)(1) and O.C.G.A. § 10-1-399(a) against Defendants;
2. Statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A) against Defendants;
3. Treble damages pursuant to O.C.G.A. § 10-1-399(c) against Defendants;
4. Costs of litigation and reasonable attorney’s fees pursuant to 15 U.S.C. § 1692k(a)(3) and O.C.G.A. § 10-1-399(d) against Defendants;
5. Actual damages from Defendants for the all damages including emotional distress suffered as a result of the intentional, reckless, and/or negligent FDCPA violations and intentional, reckless, and/or negligent invasions of privacy in an amount to be determined at trial for the Plaintiff;

6. Punitive damages pursuant to O.C.G.A. § 10-1-399(a) against Defendants;
- and
7. Such other and further relief as may be just and proper.

TRIAL BY JURY DEMANDED ON ALL COUNTS

Dated: October 17, 2014

By: /s/ Sergei Lemberg, Esq.
Attorney Bar No.: 598666
Attorney for Plaintiff Chad Rados
LEMBERG LAW L.L.C.
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Stamford, CT 06905
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Email: slemburg@lemburglaw.com